

Remarks

The Office action dated June 25, 2003, in which the Examiner rejected pending claims 1-5, 7-18 and 20 has being reviewed. In view of the following remarks and amendments, Applicant respectfully submits that the application is in condition for allowance.

Claims 1, 9 and 13 have been amended, and claim 22 has been added. Support for these amendments, and for new claim 22, can be found in the specification at least at page 8, line 7 to page 9, line 3.

The Examiner rejected claims 1-5, 7-18 and 20 as being unpatentable over Schrinier et al (U.S. 2,915,427) in view of Reuben (U.S. 5,171,619) and Bailey (U.S. 4,828,898). Essentially, the Examiner argues that the mat disclosed in the Reuben reference and the mold tool disclosed in the Bailey reference could be used in the method disclosed in the Schrinier reference and the combination would render Applicant's claimed methods obvious. Applicant submits that these references do not establish a prima facie case of obviousness with regard to the claims as amended. Applicant, therefore, respectfully traverses the rejections.

Independent claims 1, 8 and 13, as amended, all require, in a method of producing a vehicle mat or part, (a) placing a thermoplastic sheet having nibs on one side thereof in contact with a contoured molding tool having one or more sidewalls that extend upwardly from a flat base and a top surface, one side of the sheet directed toward the sidewall and top surface of the tool and another side of the sheet (having nibs) directed away from the tool; (b) heating the sheet at least partially simultaneously with the sheet being in contact with the contoured molding tool; and (c) drawing the heated sheet toward the tool until the sheet is substantially shaped to the contour of the sidewall and the tool top surface. Neither Schrinier et al., Reuben, or Bailey, alone

or in combination, teach or suggest the invention as claimed by the Applicant in claims 1, 8 or 13.

Schriner et al. discloses a method for making a carpet surfaced plastic mat including two main embodiments. In one embodiment, wetted textile fabric is pressed down into a mold and a rubber mat blank is subsequently placed over the fabric, with suction applied until the blank is cured. The fabric may then be treated with hot water to raise the pile surface. Of note, there is no heating of either or both components until after the suction and curing of the blank has occurred. Contrastingly, in the Applicant's invention, drawing is conducted on the heated sheet in contact with the contoured molding tool. In another embodiment of Schriner et al., fabric may be initially treated in a steam press having a male and a female platen, and then upon drying, the fabric is transferred to a suction mold for application of the rubber blank. By treating the fabric in a steam press and subsequently moving it to a suction mold, the fabric does not become subjected to steam or heat while in contact with the suction mold. On the other hand, the claimed methods require that the sheet be heated for at least part of the time it is in contact with the tool.

Rueben does not provide the teachings lacking, in Schriner et al., namely, (a) drawing of the heated sheet into contract with the contoured molding tool, and (b) heating the sheet least partially simultaneously with the sheet being in contact with the contoured molding tool. Rueben simply does not discuss using a molding tool to form material into a desired contour.

Likewise, Bailey also does not provide the aforementioned teachings lacking in Schriner et al. Bailey discloses a method of manufacturing a floor mat where carpet and foam are brought into juxtaposition and thermofoamable material is deposited therebetween (Fig. 5).

The laminated structure is then moved to a shearing station for cutting into predetermined dimensions, and subsequently moved to an oven where it is heated. Thereafter, the structure is moved to a mold having both male and female parts where it is shaped. Thus, Bailey contrasts with the Applicant's invention in that any nibs formed on one side of the sheet are not directed away from the tool, but would be contacted by one of the male and female mold parts integrated into the structure of Schriner et al., which would destroy the integrity of the nibs and defeat their intended function. Additionally, the oven is separated from the mold in the method discussed by Bailey, requiring additional manipulation of the heated sheet to get the sheet to the mold, whereas in the Applicant's claimed invention, the sheet is heated at least partially simultaneously with the sheet being in contact with the contoured molding tool.

Thus, the cited references fail to teach or suggest in the invention as claimed by the Applicant in claims 1, 9 or 13. As such, withdrawal of the rejections of claims 1, 9 and 13 under 35 U.S.C. 103(a) as being unpatentable over Schriner et al. in view of Reuben and Bailey is respectfully requested.

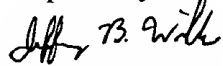
Claims 2-5, 7, 8 and 22, claims 10-12 and claims 14-18 and 20 depend either directly or indirectly from independent claims 1, 9 and 13, respectively. As claims 1, 9 and 13 are believed to be allowable over the references of record, Applicant respectfully asserts that claims 2-5, 7, 8, 10-12, 14-18, 20 and 22 also are allowable. Withdrawal of the rejection under 35 U.S.C. 103(a) of claims 2-5, 7, 8, 10-12, 14-18, 20 and 22 as being unpatentable over Schriner et al. in view of Reuben and Bailey is respectfully requested.

Based on the foregoing, it is submitted that the Applicant's invention as defined by claims 1-5, 7-18, 20 and 22 is patentable over the references of record. Issuance of a Notice of Allowance is solicited.

The present amendment and response is being filed concurrently with a Request
~~for Continued Examination along with a check in the amount of \$375.00 for a small entity~~
pursuant to 37 C.F.R. 1.17(e). The Commissioner is hereby authorized to charge any additional
fees that may be required, or credit any overpayment, to Deposit Account No. 19-2112.

Should the Examiner believe that issues remain outstanding, the Examiner is
welcome to call Applicant's undersigned attorney in an effort to resolve such issues and advance
this application to issue. This should be considered a complete response to the Examiner's
Office action dated June 25, 2003.

Respectfully submitted,


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